

City of Burien

BURIEN PLANNING COMMISSION MEETING

October 9, 2007

7:00 p.m.

City Council Chambers

MINUTES

Planning Commission Members Present:

Janet Shull, Stacie Grage, Robert Simpson-Clark, Jim Clingan, Rebecca McInteer, Michael Sumner

Absent:

Jon Newton

Others Present:

Scott Greenberg, planning director; David Johanson, senior planner

Roll Call

Chair Shull called the meeting to order at 7:05 p.m. Upon the call of the roll all commissioners were present with the exception of Commissioner Simpson-Clark, who arrived at 7:07 p.m., and Commissioner Newton.

Agenda Confirmation

Motion to approve the agenda as printed was made by Commissioner Clingan. Second was by Commissioner Sumner and the motion carried unanimously.

Public Comment – None

Approval of Minutes

September 25, 2007

Motion to approve the minutes as submitted was made by Commissioner Clingan. Second was by Commissioner Grage and the motion carried unanimously

Public Hearings

A. 2007 Comprehensive Plan Amendment Items

Chair Shull opened the public hearing.

2007-1: Downtown Parking Comprehensive Plan Text Amendments

Senior planner David Johanson said there are seven proposed amendments that make up 2007-1: 1) an amendment to an existing policy that would maintain the restriction pertaining to the two-hour parking limit; 2) a new policy restricting commercial loading zones on Class A pedestrian streets; 3) a new policy that would maintain the existing parking enforcement program; 4) a new policy that calls for the

development of a wayfinding signage program to direct people to public parking; 5) a new policy dealing with the use of city-owned parking lots and making them available to the public; 6) a new policy pertaining to consideration of a residential parking program for residential areas adjacent to the downtown; and 7) a new policy that recognizes the potential future use of parking meters as a tool for managing parking in high-demand locations.

There were no public comments on 2007-1.

2007-2: Amending Policy SE 1.2 to reflect adoption of Old Burien Design Guidelines.

Mr. Johanson explained that the proposed text amendment deals with Policy SE-1.2 and recognizes the adoption of design guidelines for the SPA-1 or Old Burien zone. The previous policy had language indicating that the City should adopt design guidelines for the planning area; that has since been done.

There were no public comments on 2007-2.

2007-4: Potential Annexation Area Map Amendment

Planning Director Scott Greenberg reminded the commission that earlier in the year the City Council agreed to relinquish all annexation claims for the far northeast corner of the North Highline Potential Annexation Area (PAA). He noted that the area was designated a PAA by both Seattle and Tukwila approximately 10 years ago.

There were no public comments on 2007-4.

2007-5: Comprehensive Plan Map Amendment designating the future Town Square park parcel from Downtown Commercial to Parks/Downtown Parks/Schools/Recreation/Open Space.

Mr. Johanson said the proposed amendment is a Comprehensive Plan map amendment only. The staff-initiated request seeks to designate the parcel that will be the future location of the Town Square Park as Downtown Parks/Schools/Recreation/Open Space, which is consistent with how the City treats all of its parks and recreation facilities.

There were no public comments on 2007-5.

2007-6: Comprehensive Plan Policy Amendments allowing retail uses in Special Planning Area 4 sub areas B and C.

Mr. Greenberg explained that the proposed amendment involves a series of text amendments to policies related to Areas B and C of Special Planning Area 4 (SPA-4). He noted that the area is currently transitioning from a series of zoning districts to a business park-type of zone. The only redevelopment that has occurred to date in the area is the development of an airport parking lot. Accordingly, staff believes more flexibility is needed to facilitate and encourage redevelopment. The proposal would add retail as a permitted use in the area; currently, only incidental retail uses are permitted.

Continuing, Mr. Greenberg said the proposal includes policy language recognizing the possible future need for additional traffic signals on South 140th Street at Des Moines Memorial Drive and at 8th Avenue South, and addition turn lanes and signal phasing at Des Moines Memorial Drive and South 144th Street. It will not be know if the improvements actually will be needed until redevelopment occurs in the area.

The proposed amendment also seeks to remove the current requirement for a separate development agreement to be negotiated with developers as part of their rezone. If the council ultimately approves the proposal, the commission will be asked to make a similar change to the Zoning Code.

There were no public comments on 2007-6.

2007-7: Moshier Park Comprehensive Plan map amendment and rezone request

Mr. Johanson said the proposal involves a Comprehensive Plan map change and a rezone request to change the Comprehensive Plan designation from Public Parks/Schools/Recreation/Open Space to Moderate Density Multifamily Neighborhood. The concurrent rezone would change the current RS-7200 to RM-24. He explained that the subject property is abutted by RM-24 on the south and the north and the proposal would simply square off the zoning line. The Parks department supports the proposal and is working with the adjacent property owners on a purchase and sale agreement.

There were no public comments on 2007-7.

2007-8: Markerr Comprehensive Plan Map amendment and rezone request

Mr. Johanson shared with the commission copies of written public comments received regarding the proposed amendment. He explained that the request involves three parcels of land near the intersection of South Normandy Road and Des Moines Memorial Drive. The site is currently being used as a quasi storage yard. The request is for a Comprehensive Plan Map change from Industrial to Intersection Commercial, and a concurrent rezone to change from Industrial to Intersection Commercial.

Mr. Johanson said the proposal, if approved, will not hinder the ability of the City to provide for an adequate supply of industrial-zoned land. He said staff is recommending approval of the proposed amendment, which will serve to ease the transition of higher intensity uses along Des Moines Memorial Drive to the single family residential neighborhoods to the west and south of the 3.74-acre site. The proposal could result in the construction of a mixed-use development containing a maximum of 22 residential units.

Mr. Mike Gale, 18003 4th Avenue South, said his property is adjacent to the subject property. He said his concerns relate to some of the uses that could be allowed if the site is changed to Intersection Commercial. The zone permits convenience stores and eating and drinking establishments that could increase foot traffic on the trail that passes his property. Increases in foot traffic on that trail will increase incidents of vandalism and the like. He also voiced concerns about the prospect of increased crime.

At the request of Commissioner Simpson-Clark, Mr. Gale confirmed that the trail is at the south end of South 181st Street.

Ms. Karen Gale, 18003 4th Avenue South, opposed the proposal, saying the change would take away from very beautiful woods on the property.

Mr. Phil Kitzes with ESM Consulting Engineers, 33915 First Lane South, Federal Way, spoke as the proponent. He said he worked with city staff during the past year to seek a compromise position that would satisfy both his clients and the City, and added that the proposed amendment does just that. The proposal ultimately will be a benefit to the community by allowing for a development that everyone can take pride in. The subject property is separated by vegetation and topography from adjacent properties. The powerline easement acts as an extension of the trail. The proposal pitched to the City in 2006 would

have permitted more residential units on the property than the owner intends to construct; the new proposal satisfies all parties, will maximize the use of the land, and will work with the neighborhood.

Commissioner Simpson-Clark asked if the development of the trail connected with 4th Avenue South is integral to the plans for the subject property. Mr. Kitzes said it is not. He said that is something that will be on the table for discussion at the permit stage.

Answering a question asked by Commissioner McInteer, Mr. Kitzes said a buffer around the perimeter of the property will be required, especially where it abuts RS-7200. During the next phase of planning for development will involve quantifying the number of significant trees and identifying those that will need to remain. Some of the trees will be cut down, but not all of them.

Commissioner Simpson-Clark noted that 22 residential units is pretty close to an RS-7200 density. He asked how a downzone all the way from Industrial to RS-7200 would affect the buffering requirements. Mr. Johanson said there is no buffering requirement between like residential zones. There would be a requirement to retain a minimum of 30 percent of all healthy significant trees, however.

Mr. Greenberg commented that the drawings presented by the proponent are very nice and show that a great deal of thought has gone into making the proposal. He stressed, however, that the commission was not being asked to review a specific site plan.

2007-9: Time Square Comprehensive Plan Map amendment and rezone request

Mr. Johanson said the proposal involves a Comprehensive Plan change from High-Density Multifamily to Regional Commercial and a concurrent rezone from RM-24 to CR for the property located on the northwest corner of the intersection of 156th and 1st Avenue South. The intent of the change is to resolve what appears to be a mapping error.

There were no public comments on 2007-9.

Motion to close the public hearing was made by Commissioner Grage. Second was by Commissioner Simpson-Clark and the motion carried unanimously.

Old Business

A. 2007 Comprehensive Plan Items - Discussion and Recommendations

2007-8: Markerr Comprehensive Plan Map amendment and rezone request

Motion to adopt the staff recommendation regarding 2007-8 was made by Commissioner Simpson-Clark. Second was by Commissioner Clingan and the motion carried unanimously.

Mr. Johanson said the package of amendments will be forwarded to the City Council for a study session before the scheduled November 5 public hearing.

2007-9: Time Square Comprehensive Plan Map amendment and rezone request

Motion to adopt the staff recommendation regarding 2007-9 was made by Commissioner Clingan. Second was by Commissioner Simpson-Clark and the motion carried unanimously.

2007-1: Downtown Parking Comprehensive Plan Text Amendments

Motion to adopt the staff recommendation regarding 2007-1 was made by Commissioner Simpson-Clark. Second was by Commissioner Clingan.

Motion to amend the motion to add a policy stating that bus stops should be provided where feasible without interfering with parking spots was made by Commissioner Simpson-Clark. Second was by Commissioner Clingan.

Commissioner Simpson-Clark said the intent of the proposed amendment to the motion is to not reduce the amount of available parking when bus stops are created. He added that along 152nd the proposed amendment would require only a couple of minor adjustments.

It was agreed the staff should provide the exact language of the additional policy.

Chair Shull asked if the loading zone language would apply to the area in front of Dan the Sausage Man establishment. Mr. Johanson said the new policy would prohibit or limit loading zones on Class A pedestrian streets. Because 152nd is a Class A street, the policy language would apply to that location. The language encourages businesses to use alleys and more appropriate locations off of the main streets.

The motion to amend the motion carried unanimously.

The main motion as amended carried unanimously.

2007-2: Amending Policy SE 1.2 to reflect adoption of Old Burien Design Guidelines

Motion to concur with the staff report as presented and recommend to the City Council approval of Comprehensive Plan amendment 2007-2 was made by Commissioner Grage. Second was by Commissioner Sumner.

Commissioner Clingan asked if those who are proposing a new development for the property on the southwest corner of 152nd and Ambaum Boulevard have been working under the assumption that the policy language would be changed. Mr. Johanson allowed that they have. Any building constructed on that site will have to meet the design standards for Old Burien.

Mr. Johanson reminded the commission about the previous conversation regarding use of the word “shall” in place of “should” in subsection D. He noted that staff has no particular preference either way.

Commissioner Sumner called for using the word “shall.”

Chair Shull said she would be satisfied with either “shall” or “will.” Commissioner Simpson-Clark concurred.

Mr. Greenberg pointed out that “will” is used in paragraph D, but in all other paragraphs the word “shall” is used.

Answering a question asked by Commissioner McInteer, Mr. Johanson said generally speaking the Comprehensive Plan serves as a guiding document. Carrying out the items in the plan, however, is dependent on available resources and time constraints.

Mr. Greenberg added that by state law comprehensive plans cannot be used as regulatory documents. In that respect, words like “should,” “shall” or “will” do not really matter.

Commissioner Simpson-Clark pointed out that the recommendation of staff as brought to the commission is based on a significant amount of public input. As such, calling it just the staff recommendation is somewhat misleading.

Motion to amend the motion to incorporate use of the word “shall” in policy SU-142(d). Second was by Commissioner Sumner.

The motion to amend the motion carried unanimously.

The main motion as amended carried unanimously.

2007-4: Potential Annexation Area Map Amendment

Motion to recommend to the City Council approval of Comprehensive Plan amendment 2007-4 was made by Commissioner Grage. Second was by Commissioner Sumner and the motion carried unanimously.

2007-5: Comprehensive Plan Map Amendment designating the future Town Square Park parcel from Downtown Commercial to Parks/Downtown Parks/Schools/Recreation/Open Space

Motion to recommend to the City Council approval of Comprehensive Plan amendment 2007-5 was made by Commissioner Simpson-Clark. Second was by Commissioner Sumner and the motion carried unanimously.

2007-6: Comprehensive Plan Policy Amendments allowing retail uses in Special Planning Area 4 sub areas B and C

Motion to recommend to the City Council approval of Comprehensive Plan amendment 2007-6 was made by Commissioner Grage. Second was by Commissioner Sumner and the motion carried unanimously.

2007-7: Mosier Park Comprehensive Plan Map amendment and rezone request

Motion to recommend to the City Council approval of Comprehensive Plan 2007-7 was made by Commissioner Grage. Second was by Commissioner Simpson-Clark and the motion carried unanimously.

New Business – None

Director’s Report

Mr. Greenberg reported that earlier in the day the City issued a design review approval for the City Hall/library building.

Commissioner Clingan asked for an update regarding the Lora Lake Apartments and annexation issues. Mr. Greenberg said the court ruled in favor of the City and the Port of Seattle in the case filed by the affordable housing advocates against both parties. The suit challenged the adequacy of the SEPA review. The court ruled that the group did not have standing. There is still an eminent domain case pending.

With regard to annexation, Mr. Greenberg reported that the Growth Management Planning Council met on October 3 and voted to recognize the overlapping PAA between Seattle and Burien. The amendment to the Countywide Planning Policies will need to be approved by the King County Council and then ratified by a certain number of King County cities representing a certain percentage of the overall population. Once that happen the map will be officially amended, and there will be officially overlapping PAAs.

Adjournment

Motion to adjourn was made by Commissioner Simpson-Clark. Second was by Commissioner Clingan and the motion carried unanimously.

Chair Shull adjourned the meeting at 8:25 p.m.

Approved: _____

Janet Shull, chair
Planning Commission